

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA

James Tyrone Edwards

Plaintiff(s)/Petitioner(s)

vs.

Sgt. Moore, LTL Holland,
S. Sgt. Bussey, Sheriff Bowman
Chief Alexander, Russell County Jail

Defendant(s)/Respondent(s)

CIVIL ACTION NO. _____
(To be supplied by Clerk of Court)

FILED FEB 13 '06 PM 1:04 USDAO/LS

MOTION TO PROCEED WITHOUT PREPAYMENT OF FEES

I, James Tyrone Edwards, a United States citizen, make this Motion to Proceed Without Prepayment of Fees pursuant to Title 28 U.S.C. § 1915 in order to proceed in forma pauperis in this action. I am unable to make prepayment of fees or to give security therefor, and it is my belief that I am entitled to redress. I have not divested myself of any property, monies or any items of value for the purpose of avoiding payment of said fees.

I. BRIEF STATEMENT AS TO THE NATURE OF THE ACTION: _____

II. RESIDENCE:
Your address: ~~207~~ 207 Prentiss Drive.

Phoenix City (City) Alabama (State) 36868 (Zip Code)

III. MARITAL STATUS:
1. Single X Married _____ Separated _____ Divorced _____
2. If married, spouse's full name: _____

IV. DEPENDENTS:
1. Number: 1
2. Relationship to dependent(s): Father
3. How much money do you contribute toward your dependents' support on a monthly basis? \$ 0

V. EMPLOYMENT:

1. Name of employer: N/A
 a. Address of employer: N/A
N/A (Street)

 (City) (State) (Zip Code)
 b. How long have you been employed by present employer?
 Years: N/A Months N/A
 c. Income: Monthly \$ N/A or Weekly \$ N/A
 d. What is your job title? N/A
2. If unemployed, date of last employment: Pizza Hut / Aug. 2003
 Amount of salary and wages received per month in last employment: \$ 500.00
3. Is spouse employed? N/A If so, name of employer: N/A
N/A
 a. Income: Monthly \$ 0 or Weekly \$ 0
 b. What is spouse's job title? N/A
4. Are you and/or your spouse receiving welfare aid? unknown
 If so, amount: Monthly \$ 0 or Weekly \$ 0

VI. FINANCIAL STATUS

1. Owner of real property (excluding ordinary household furnishings and clothing):
 a. Description: _____
 b. Full Address: N/A
 c. In whose name: _____
 d. Estimated value ----- \$ 0
 e. Total amount owed ----- \$ 0
 Owed to: N/A \$ 0
N/A \$ 0
 f. Annual income from property ----- \$ 0
2. Other assets/property, such as automobiles, boats, motor homes, court judgments, etc. (If more than two, list information on back):
- | | <u>Asset (1)</u> | <u>Asset (2)</u> |
|---------------------------|------------------|------------------|
| a. Make & Model: | _____ | _____ |
| In whose name registered? | <u>N/A</u> | <u>N/A</u> |
| Present Value of Asset: | _____ | _____ |
| Amount owed: | _____ | _____ |
| Owed to: | _____ | _____ |
- b. Total cash in banks, savings and loan associations, prisoner accounts,

financial institutions, other repositories, or anywhere else - \$ 0

- c. List monies received by you during the last twelve (12) months, or held for you by banks, savings and loan associations, prisoner accounts, other financial institutions, or other sources as indicated below:

Business, profession or other forms of self-employment - \$ 0
 Rent payments, interest or dividends - \$ 0
 Pensions, annuities or life insurance payments - \$ 0
 Gifts or inheritances - \$ 0
 Stocks, bonds or notes - \$ 0
 Tax refunds, Veteran benefits or social security benefits \$ 0
 Any other sources - \$ 0

3. Obligations:

a. Monthly rental on house or apartment - \$ 0
 b. Monthly mortgage payments on house - \$ 0

4. Other information pertinent to your financial debts and obligations:

<u>N/A</u> (Creditor)	<u>N/A</u> <u>0</u> (Total debt)	<u>0</u> (Monthly payment)
<u>N/A</u> (Creditor)	<u>0</u> (Total debt)	<u>0</u> (Monthly payment)
<u>N/A</u> (Creditor)	<u>0</u> (Total debt)	<u>0</u> (Monthly payment)

5. If you have indicated that you have minimal or no assets or income, please explain how you provide for your basic living needs such as food, clothing and shelter. (e.g. food stamps, family assistance or charitable contributions.)

Family assistance

Other (Explain): _____

VII. ALL PLAINTIFFS/PETITIONERS MUST READ AND SIGN:

I UNDERSTAND that any false statement(s) of a material fact contained herein may serve as the basis of prosecution and conviction for perjury or making false statements. FURTHER, I CERTIFY that all questions contained herein have been answered and are true and correct to the best of my knowledge and belief.

2/4/06
DATE

James T. Edwards
SIGNATURE OF PLAINTIFF/PETITIONER

P.O. Box 640

ADDRESS

Phenix City Alabama 36860-0640

VIII. FOR PRISONER PLAINTIFFS/PETITIONERS ONLY:

A financial statement containing all transactions in your prisoner account for the six (6) months immediately preceding the filing of the Complaint must accompany this Motion. The financial statement must be in the form of a computer printout or bank ledger card prepared by the institution; a notarized financial statement that you prepare; or a financial statement prepared by an authorized officer of the institution. Failure to provide this financial statement information may result in the dismissal of this action.

The requirement to submit the financial statement addressed above does not negate your responsibility to ensure that the Certificate found below is also properly executed and filed.

I hereby authorize the agency having custody of me to collect from my prison account and forward to the Clerk of the United States District Court payments in accordance with 28 U.S.C. § 1915(b)(2). I understand that even if I am allowed to proceed in forma pauperis or pay a partial filing fee and even if my case is later dismissed for any reason, I am obligated to pay to the Clerk of the Court the full amount of the filing fee (\$250.00 for a civil action, \$5.00 for a habeas corpus petition, or \$255.00 for an appeal).

2/4/06

DATE

James T. Edwards
SIGNATURE OF PLAINTIFF/PETITIONER

CERTIFICATE

(To be completed by the institution of incarceration)

I certify that the applicant named herein has the sum of \$ 1.70 on account to his/her credit at Russell Co. Jail (name of institution). I further certify that during the past six months the applicant's average monthly balance was \$ 45.00. I further certify that during the past six months the average of monthly deposits to the applicant's account was \$ 155.00. (Please attach a certified copy of the applicant's account statement showing transactions for the past six months.)

2/6/06

DATE

Shirley Day
SIGNATURE OF AUTHORIZED OFFICER

RESIDENT TRANSACTION REPORT

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Russell County Jail
02/06/06 15:55
ST 001 / OPR RS

NAMENUMBER : 225028
Resident Name : EDWARDS, JAMES TYRONE
Time Frame : 05/18/2005 08:09 - 02/06/2006 15:55

Date	Time	Type	ST	OPR	Receipt #	Amount
05/18/2005	08:09	Intake-Cash	1	jpt	A80699	7.46
05/23/2005	01:17	Order-Swanson	1	rs	A81127	7.40
06/05/2005	20:51	Order-Swanson-Indigent	1	jr	A81935	1.50
06/05/2005	20:51	Receivable Write off	1	jr	A81936	1.50
06/26/2005	19:50	Order-Swanson-Indigent	1	38	A83079	1.50
06/26/2005	19:50	Receivable Write off	1	38	A83080	1.50
07/10/2005	21:13	Order-Swanson-Indigent	1	jpt	A84145	1.50
07/10/2005	21:13	Receivable Write off	1	jpt	A84146	1.50
07/17/2005	21:49	Order-Swanson-Indigent	1	rs	A84600	1.50
07/17/2005	21:49	Receivable Write off	1	rs	A84601	1.50
07/24/2005	19:57	Order-Swanson-Indigent	1	jpt	A84997	1.50
07/24/2005	19:57	Receivable Write off	1	jpt	A84998	1.50
08/01/2005	00:31	Order-Swanson-Indigent	1	rs	A85536	1.50
08/01/2005	00:31	Receivable Write off	1	rs	A85537	1.50
08/15/2005	00:25	Order-Swanson-Indigent	1	lg	A86491	1.50
08/15/2005	00:25	Receivable Write off	1	lg	A86492	1.50
08/21/2005	21:12	Order-Swanson-Indigent	1	jpt	A86965	1.50
08/21/2005	21:12	Receivable Write off	1	jpt	A86966	1.50
08/24/2005	16:21	Add-Cash	1	jpc	A87194	10.00
08/26/2005	23:17	Add-Cash	1	rs	A87255	10.00
08/28/2005	23:36	Order-Swanson	1	28	A87366	18.78
08/28/2005	23:36	Order-Swanson-Sales Tax	1	28	A87366	1.21
09/11/2005	22:25	Order-Swanson-Indigent	1	co45	A88382	1.50
09/11/2005	22:25	Receivable Write off	1	co45	A88383	1.50
09/18/2005	21:07	Order-Swanson-Indigent	1	jpt	A88926	1.50
09/18/2005	21:07	Receivable Write off	1	jpt	A88927	1.50
09/25/2005	23:18	Order-Swanson-Indigent	1	rs	A89500	1.50
09/25/2005	23:18	Receivable Write off	1	rs	A89501	1.50
10/02/2005	21:36	Order-Swanson-Indigent	1	jpt	A89981	1.50
10/02/2005	21:36	Receivable Write off	1	jpt	A89982	1.50
10/09/2005	19:51	Order-Swanson-Indigent	1	gt	A90362	1.50
10/09/2005	19:51	Receivable Write off	1	gt	A90363	1.50
10/16/2005	21:55	Order-Swanson-Indigent	1	kls	A90874	1.50
10/16/2005	21:55	Receivable Write off	1	kls	A90875	1.50
10/31/2005	00:51	Order-Swanson-Indigent	1	38	A91923	1.50
10/31/2005	00:51	Receivable Write off	1	38	A91924	1.50
11/07/2005	03:08	Order-Swanson-Indigent	1	mj	A92529	1.50
11/07/2005	03:08	Receivable Write off	1	mj	A92530	1.50
11/13/2005	14:08	Add-Cash	1	CP	A92754	25.00
11/13/2005	23:13	Order-Swanson	1	38	A93022	22.54
11/13/2005	23:13	Order-Swanson-Sales Tax	1	38	A93022	1.51
11/20/2005	22:08	Order-Swanson	1	CO34	A93290	0.71
11/20/2005	22:08	Order-Swanson-Sales Tax	1	CO34	A93290	0.06
11/23/2005	01:02	Add-Cash	1	flb	A93588	15.00
12/04/2005	22:40	Order-Swanson	1	gt	A94316	13.33
12/04/2005	22:40	Order-Swanson-Sales Tax	1	gt	A94316	1.07
12/11/2005	22:40	Order-Swanson	1	dtl	A94664	0.41
12/11/2005	22:40	Order-Swanson-Sales Tax	1	dtl	A94664	0.03
12/19/2005	16:15	Add-Cash	1	lg	A95303	50.00
12/25/2005	20:07	Order-Swanson	1	33	A95483	14.14
12/25/2005	20:07	Order-Swanson-Sales Tax	1	33	A95483	0.84
01/01/2006	22:35	Order-Swanson	1	jr	A95906	13.46
01/01/2006	22:35	Order-Swanson-Sales Tax	1	jr	A95906	1.08
01/06/2006	04:03	Add-Cash	1	rs	A96128	20.00
01/08/2006	20:45	Order-Swanson	1	jpt	A96367	15.25
01/08/2006	20:45	Order-Swanson-Sales Tax	1	jpt	A96367	0.91
01/16/2006	01:43	Order-Swanson	1	rs	A96826	20.17
01/16/2006	01:43	Order-Swanson-Sales Tax	1	rs	A96826	1.61

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Date	Time	Type	ST	OPR	Receipt #	Amount
01/23/2006	23:55	Add-Cash	1	jr	A97244	25.00
01/29/2006	21:58	Order-Swanson	1	gt	A97595	14.39
01/29/2006	21:58	Order-Swanson-Sales Tax	1	gt	A97595	0.84
02/05/2006	20:22	Order-Swanson	1	jpt	A98059	10.20
02/05/2006	20:22	Order-Swanson-Sales Tax	1	jpt	A98059	0.82